

FILED

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

OCT 26 AM 8:04

U.S. DISTRICT COURT  
N.D. OF ALABAMA

THOMAS EARL HAND,

Petitioner,

v.

WARDEN BILLY MITCHEM and  
THE ATTORNEY GENERAL FOR  
THE STATE OF ALABAMA,

Respondents.

CIVIL ACTION NO. 01-N-0727-S

*dot* ENTERED  
OCT 26 2001

MEMORANDUM OF OPINION

The court has considered the entire file in this action together with the Magistrate Judge's Report and Recommendation and the objections of the petitioner and has reached an independent conclusion that the Magistrate Judge's Report and Recommendation is due to be adopted and approved. The court hereby adopts and approves the findings and recommendation of the magistrate judge as the findings and conclusions of the court. In accord with the recommendation, this petition for writ of habeas corpus is due to be dismissed with prejudice. An appropriate order will be entered.

DONE, this 25<sup>th</sup> day of Oct., 2001.



EDWIN L. NELSON  
UNITED STATES DISTRICT JUDGE